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ABSTRACT

During the past decade, the authority of school boards and school personnel has been questioned and in some cases reduced by the student rights movement. Recent legislation has given students more power and schools less. That school children must be granted the same legal and constitutional rights as adults is perplexing to school personnel, parents, and students alike. A questionnaire designed to determine students' opinions on freedom of speech, due process, suspension and corporal punishment, search and seizure, dress codes, privacy of information, and student governance in school found that the majority of black Chicago high school students are conservative in their views about student rights. They want freedom in the areas that affect them personally and that have no direct influence on the education process, but want schools to be well-organized and well-operated. Findings suggest that: (1) school administrators should give students a voice in school policies and procedures; (2) teachers should allow students to make suggestions about class procedures and assignments; (3) students should be allowed to participate in the development of a students rights handbook; and (4) faculty should support student initiated activities. By giving students increased participatory rights in the educational process and the development of student policies, academic achievement may be enhanced and disruptive problems reduced. (WI)

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HIGH SCHOOL STUDENTS OPINIONS OF STUDENT RIGHTS

by

Earl J. Ogletree and Marie Chambers

During the past decade, the authority of school boards and school personnel has been questioned and, in some cases, reduced by the student rights movement. Recent Legislation and court decisons have given students more power and the schools less.

The Buckley Law gave students the right of privacy of their school records.(1) Tinker v. Des Moines Independent School District permitted students to wear arm bands, buttons and other symbols of political expression.(2) Goss v. Lopez and Wood v. Strickland, respectively, gave students the right to due process in cases of suspensions and the right to sue school board members for damages if the students' rights were knowingly violated.(3,4) Burnside v. Byars gave students freedom of speech, including the publication and distribution of newspapers on school premises.(5) These decisions and others gave students the same basic constitutional rights as adults. Students no longer lose their right to due process, freedom of speech and privacy because they are attending school.

As a result, school administrators, parents and the community have begun to review school/student relationship policies in relation to the law. School boards have published guidelines and handbooks on student rights and responsibilities.(6)

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That school children must be granted the same legal and constitutional rights as adults in perplexing to school personnel, parents and students alike. A survey of Dayton, Ohio, parents showed the majority supported students privacy, due process and freedom of speech.(7) A study of high school students' perception of teachers' violations of their rights revealed the majority of students felt teachers had little respect for their opinion; the school had a repressive dress code, denied students due process, restricted use of restrooms, and violated their right of free expression.(8)

Procedure of Study

A questionnaire was designed to determine students' opinions on freedom of speech, due process, suspension and corporal punishment, search and seizure, dress code, privacy of information, and student governance in school. Thirty-four of the 35 questions required responses of yes, no, and don't know. The final item was open-ended.

The randomly selected sample included 200 black innercity Chicago high school students, enrolled in business education classes. There were equal numbers of freshmen, sophomores, juniors and seniors, and male and female students.

Results

The finding showed the majority of students gave conservative responses: the majority (60%) rejected the notion of free speech

in the classroom, while 29 percent sanctioned it. However, their responses are influenced by a liberal interpretation of free speech as indicated by the questions in Table 1.

TABLE I

STUDENTS OPINIONS OF STUDENTS'

FREE SPEECH

QUESTIONS	YES	NO	DON'T KNOW
Should students have freedom of speech in the classroom, e.g., talk when they wish?	32%	59%	09%
Should students be allowed to use abusive language in the classroom?	23%	74%	03%
Should students be allowed to use informal slang ("street language") in the classroom?	23%	71%	06%
Should students have the right to argue with their teachers?	19%	81%	---
Should students have the right to question classroom procedures?	42%	52%	06%
Should students have the right prayers in the classroom (at the beginning of each class period?)	50%	18%	32%
Should students be allowed to promote a personal political cause in the classroom?	20%	62%	18%
Should students be permitted to wear armbands or buttons that express a political movement or activity?	21%	52%	27%
Should students be allowed to distribute underground literature, leaflets, etc. in the school, e.g., newspapers printed by gangs or anti-school publications, phonography literature?	38%	57%	05%
Should students be allowed to publish a school newspaper that criticizes the school administration, teachers and the school system?	20%	76%	04%

With the exception of saying prayers in the classroom, the overwhelming majority of students felt students should not have unrestricted freedom of expression. They rejected the use of abusive language (64%), informal or slang language (71%), arguing with the teacher (81%) promotion of political causes (62%), and 57 percent and 76 percent, respectively, thought students should not be permitted to distribute anti-school literature or publish newspapers that criticizes the school. However, 42 percent indicated they should have the right to question classroom procedures, while 52 percent disagreed. Surprisingly, 50 percent believed students should have the right to recite prayers in the classroom. On the issue of due process, a majority of students felt they should have the right of representation. As shown in Table II, 64 percent agreed students should have a parent or layer present when accused of misconduct; 81 percent felt they should not be forced to testify against themselves, and 79 percent felt they should be allowed to question compaining witnesses. However, they were ambivalent as to their right of appeal (42% yes and 39% don't know), whereas 81 percent favored grievance procedures for students.

TABLE II

STUDENTS' OPINIONS OF DUE PROCESS FOR STUDENTS

QUESTIONS	YES	NO	DON'T KNOW
If a student is called before the principal for misconduct, should he be allowed to have his parents, guardian or lawyer present?	64%	24%	12%
Should students be threatened or intimidated to testify against themselves?	81%	08%	11%
Should accused students be allowed to ask questions of complaining witnesses?	79%	06%	14%
Should students be allowed the right to appeal judgment against them?	42%	19%	39%
Should student grievance procedures be developed for students?	81%	17%	02%

On the questions of suspension, expulsion and corporal punishment, their responses reflected their conservative view and, perhaps, maturity (See Table III). For serious offenses such as continuous classroom disruption, destroying school property and using or selling alcohol and drugs, 56% to 62% felt students should be expelled or suspended from school. A majority (57%) also agreed school suspensions should be recorded on their school record. For less serious misconduct they were ambivalent as to the appropriateness of suspension, and 52 percent rejected corporal punishment.

TABLE III

STUDENTS' OPINIONS OF SUSPENSION,

EXPULSION AND CORPORAL PUNISHMENT

QUESTIONS	YES	NO	DON'T KNOW
Should students be suspended if found guilty of breaking any school regulation?	39%	44%	17%
Should students who continually disrupt the classroom, be expelled from school?	60%	31%	09%
Should students who pusposefully destroy school property be expelled from school?	59%	29%	12%
Should students who use drugs and alcohol in school be expelled from school?	56%	33%	11%
Should students who sell drugs in school be expelled from school?	62%	29%	09%
Should school suspensions be recorded on the students school record, e.g., smoking pot, abusive language, fighting in school?	57%	24%	19%
Should corporal punishment be banned regardless of the offense?	39%	52%	09%

Students' opinions of search and seizure practices supported their views on suspension and expulsion for serious breaches of conduct. As shown in Table IV, the majority favored reasonable search (56%) and seizure (55%) of students' property. Reasonable is the key word here. Some students stated they "felt threatened because a few students brought not only drugs but weapons into the school. And a search and seizure policy would make the school safer."

TABLE IV

STUDENTS' OPINIONS OF SEARCH

AND SEIZURE PRACTICES

QUESTIONS	YES	NO	DON'T KNOW
Should the school have the right of reasonable search of students?	56%	42%	02%
Should the school have the right to seize students' property if it is reasonable?	55%	38%	17%

The findings were also influenced by the maturity of the students, i.e., a higher percentage of seniors (64%) as compared to freshmen (48%) and sophomores (43%) favored a search and seizure policy, while 73 percent of girls to 67 percent boys favored it.

The majority support for school suspension and expulsion and search and seizure policies indicate that only a few students would be effected by their implementation, since the majority would not be involved in illicit activities.

Fifty-nine percent of the students rejected a school dress code and 84 percent desired freedom in dress and 79 percent freedom in hairstyle.

TABLE V

STUDENTS' OPINIONS OF SCHOOL

DRESS AND HYGIENE CODES

QUESTIONS	YES	NO	DON'T KNOW
Should the school establish a dress code?	27%	59%	14%
Should students be allowed freedom of dress, e.g., open shirts, extreme miniskirts, hot pants?	84%	14%	02%
Should students be allowed freedom of hairstyle, e.g., long hair or Afros?	79%	08%	13%
Should the school have the right to establish a standard ofhygiene, e.g., cleanliness?	66%	08%	26%

This is understandable in that teenagers are clothes conscious; clothes are symbolic and effect peer status. Clothes not only enhance physical attractiveness but are an extension of their personality. On the other hand, 66 percent agreed the school should establish a standard of hygiene. Students commented:

> A standard dress code is not a part of the school's business. Students should not be judged on the basis of how they dress. Of course, I think students should dress decently and not as though they are going to the beach. I do see a need for a school hygiene or cleanliness code. Some students are dirty and smell.

> I come to school to learn, not for a fashion show; therefore my appearance shouldn't make any difference. However, personal hygiene effects others.

On student governance, 62 percent favored a student council to make recommendations on conduct. However, only 36 percent favored and 48 percent rejected a student court to rule on the innocence or guilt of students who violated school regulations. This indicates students would like input in determining student conduct codes, but do not have much faith in student courts.

The majority of students (63%) believed students' records, and test scores should be kept private for him, his parents and school staff. Thirty-three percent disagreed.

Students felt the right of assembly was important. Seventy-two percent thought they should have the right to hold meetings

(e.g., youth organizations and clubs) in the school. And 81 percent believed they should be allowed to use school facilities, at reasonable times, for recreation, sports, and community meetings.

However, on the requirement to attend school activities and ceremonies, students were ambivalent -- 36 percent yes, 30 percent no, and 34 percent don't know.

Conclusions

The findings showed students were moderate in their responses. They wanted freedom in those areas that effected them personally, such as dress and hairstyle, freedom of assembly, participation in the formulation of student rules of conduct, due process and grievance procedures that do not have any direct influence on the educational process. What appeared to be important to them was the acquisition of a good education. They desired a well organized and operated school, a conducive place to learn. As one student put it.

> The rights that are most important to me at this time, is the right of a good education. I know that a good basic education is the foundation on which everything else is based. Without an education I run the risk of being a nobody, a failure to my parents and myself. The rest of life is ruined; it would have no purpose.

Those rights that directly influenced the educational process, such as freedom of speech and expression in the classroom and school, and suspension/expulsion for serious breaches of conduct, and search and seizure for protection of students and the school environment, the students conceded to the school. It appears, the students did not want unlimited rights to run the school themselves with no school established guidelines or policies. Instead, they wanted to participate in those policy making processes that effected them directly, but did not effect the traditional learning climate of the school.

This attitude is reflected in the students' rejection of a student court system to pass judgment on the miwconduct of fellow students or themselves. Another indication is that a clear majority of students did not sanction the distribution or publication of anti-school literature or the promotion of political causes in the school. Nor were the students sympathetic to the school "troublemaker" or students who used and sold alcohol and drugs in the school.

The students' moderation and, perhaps, maturity was evidenced in their rejection of corporal punishment and their ambivalence on the use of suspensions for violating any school regulation and being forced to attend school activities and functions.

It is evident, the students want to attend a well organized and disciplined school in which school personnel are in control, not the students. On the other hand, students want participatory

rights in areas that do not directly interfere with their education. They would like to have the option of making suggestions and expressing their opinions in a constructive manner that effect them personally, but are tangential to the educational process. Students felt they should have the same rights as adults in these areas within reasonable limits.

The findings suggest: 1) the school administration should provide students the opportunity to voice their concerns regarding school policies and procedures, 2) classroom teachers should allow students to ask questions and make constructive suggestions about class procedures and assignments, 3) students should be permitted to participate in the development of a Student Rights Handbook, and 4) school faculty should be supportive of students initiated activities, such as student clubs, councils and related constructive organizational activities.

By giving students increasing participatory rights in the educational process and in the development of student policies, it could enhance student deportment and reduce disruptive problems, school vandalism, tardiness and absenteeism. It could provide a more conducive learning and teaching environment, increasing motivation and academic achievement.

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